THE WEEKLY COMMERCIAL

A LARGE SHEET, CONTAINING ALL THE CURRENT NEWS, MISCELLANEOUS, LITERARY AND AGRICULTURAL READING

FOR THE FARM AND THE FAMILY.

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COMMERCIAL, Pittsburgh.

CONGRESS AND THE CODE.

Judicial Supervision.

For some time past the question, what right the courts have to declare an act of congress unconstitutional and thereby to nullify it, has been attracting a good deal of public attention. We think it fortunate that this is so. It seems to us that a clearer understanding of the matter, with the intercourse that is so little understood, and the causes, motives, which it has never been examined with the care its importance demands, but which are unknown to us or any longer. A bill has been introduced into the United States Senate, prohibiting the courts from declaring any act of congress unconstitutional, and providing that no such decision shall be rendered, and, if we are not greatly mistaken, such a measure will result in a very great and a very general change in public opinion in regard to it.

The theory of society is founded after the British government. The British government has three branches of departments—the legislative, the judicial, and the executive. The legislative branch is the parliament, which is composed of the house of lords and the house of commons, where they meet for the purpose of making laws, and supervising the acts of the judicial branch, the courts, whose province it is to expound the law and apply it to particular cases. That, and that alone, is the extent of their power. They have no power either to make, alter or annul laws, nor to enforce them. The function of the courts is to expound the law and apply it to particular cases. That, and that alone, is the extent of their power. They have no power either to make, alter or annul laws, nor to enforce them. The function of the executive is to enforce the laws. That, and that alone, is the extent of its power. It can neither make, alter or annul laws, nor expound them.

In Parliament, the legislative branch of the British Government, the whole body of Englishmen are represented. The house of lords represents the aristocracy, the house of lords, temporal and spiritual, meet in person; the community, the great mass of the people, are represented in the house of commons, where they meet by their representatives. The Parliament, therefore, is the manifestation of the whole great body of Englishmen, through which they expressively evince and declare their will, and direct how, and in regard to what, their wishes shall be carried out, and their will executed by the courts. When Parliament speaks, it is the great body of Englishmen—the nobility, the clergy and the people, the whole nation, that speak. When a law is made in the United States it is not the whole nation, or Englishmen, the whole nation, that make it, it is act of Parliament as an act of the whole nation, but as much as if every individual, of the whole nation, had come to London and been present, and taken part in the making of it. It is a law of the whole nation, which the whole nation itself established and makes the courts declare that it has the right to declare that it had a particular fact, the power to take an act of Parliament—that is, it had the power to set itself up against the whole nation, and declare that the whole nation, that the whole legally and constitutionally expressed, should not be carried into effect. In law still that power theoretically, but only there practically, for the courts do not do it any longer, the entirety now is this that the ministry, the only responsible parties in the executive branch of the British government, are in the house of lords and house of commons also. Much one could say ministry without the force of an adverse vote of both houses of Parliament, and the moment they are defeated they resign. If in this sense that Parliament is omnipotent. It is omnipotent within the British realm, for the reason that the ministry, the executive power of the realm, are always present in Parliament, and ready, or may have to resign or resist it. It is the ultimate power in the realm. It has no superior, no equal. It is above all, over all, and it is omnipotent in all. Its power is absolute, and it is restrained, is not allowed, is exercised only and exclusively by the very nature of the branches themselves, and not by any restraint to keep within the ex-boundaries, and not to overpass those limits of any of the others. Congress makes the law, and when it has done that it has done all it has power to do; the courts expound and apply those laws, and when they have done that they have power to do the Presidential question, enforce them, and when he has done this he has done all he has power to do. Each one has its proper, its specific function, and it may not, without usurpation, encroach upon the province, upon the functioning of another branch. The function of the legislature is to make, alter or annul laws, that, and that alone, is the extent of its power. It has no power to expound the law, nor to enforce it

The Pittsburgh Commercial: Saturday, December 13, 1869.

Weekly Commercial.

SATURDAY, DECEMBER 18, 1869.

ON THE PEOPLE ACT.

In the Republicans of the State could give expression to their greatest wish, it would be that the Treasury Ring, whose name Mr. Gf or the fleet notice in "going through," might be broken up and the miserable faction scattered forever. Of their corrupt practices in using the "unexpended balance," in carrying on the system of Legislative Brokerage at Harrisburg, and in running the machinery of the State government so far as they can secure it in their hands for their private advantage, there is no disputing. *The way these things are not doubted*, and the Republicans of Pennsylvania will be hopelessly crushed to the earth if they do not cut loose from the unscrupulous Treasury Ring. The people are thoroughly convinced that the "unexpended balance" is the source of innumerable corruptions, that it is the bond which holds together a most corrupt and corrupting faction, whose presence is as detrimental to morals as the welfare of the State, and destructive to the Republican organization within which they operate, and whose power they prostitute. These things being so, most men will marvel that the faction have any power, and that there should be any fear of their success in organizing the Legislature and disposing of the offices within its gift. Here we are brought to comprehend the power of money and the promise of it. In what manner its influence is applied, it is unnecessary to discuss now. We only know that last winter, in an hour, and in the night time, when honest men slept, a combination was entered into, whereby Mr. Hoover was made Governor, without previous announcement that he was a candidate. Common sense, which no one has yet had the hardihood to question, credits a few ring managers with paying and promising to pay large sums of money for the nomination of Governor, in both branches of which they could afford to do in view of the "unexpended balance" that would come into their hands if they were successful. Having it still in their hands, they are making reckless bids for new strength, and extorting vast promises to pay off the mercenary pledges of last winter.

Now the Republican constituency have a simple yet important duty to perform in this emergency. They must instruct, as that there can be no misunderstanding, their Representatives as to their wishes. There is not a single good reason why the Treasury Ring should not be overthrown, while there are ten thousand perfect ones why it should be. The remedy for the disease is at hand. We are all that we quote them, as follows, hoping that they will impress the members of the Legislature so unmistakeably the only course they should for a moment think of pursuing:

"The Treasury business [appointing druggists] must be stopped. It cannot be longer tolerated. It is the rankest abuse that has ever grown out of the legislation of the State. It is the most corrupt and corrupting feature of the whole system of legislation. We do not know but that the turbulent spirit now exhibited in Georgia may prove a substantial benefit, for it will enable the Federal government to make it clear that the reconstruction laws, with the new order of affairs at the South, is a substantial and fixed reality, not to be evaded by those, or overthrown by a revival of the old bullying pro-slavery spirit.

The House of Representatives are making good headway on the Census bill. The proposition of Gen. BUTLER to employ the internal revenue machinery to take the census was neutral with little favor, and men specially selected will do the work. The labor of preparing the tables has been great and the assistance of the best ability in the country has been employed. Notwithstanding this, a remark made by Gen. GARFIELD that the extent of the tables frightened him, is calculated to awaken the suspicion that, after all, the thing has been overdone, and that in the attempt to do everything, nothing will be well done. We shall await with some anxiety to know how this is. The census will be completed by July next.

In this number we give another instalment of public opinion, as indicated by the voice of the Republican press, on the Treasury Ring. It is a noticeable fact that the Republican press of the State are not at all unanimous on this important question, while among the people themselves a testing little less than intense prevails. Still the Ring are determined to put their slate through, as threatened by Mr. QUAY. Their agents are out traveling the State, making large offers for support. Let the Republicans of Pennsylvania act as though they comprehended that if the Ring are not put down by the party will be put down by the Ring, and we need have no fear of the result.

As strange has been made to center on Treasurer MACKEY the credit of going for the Commonwealth in the important suit against the *Cosio Minister*, when, in fact, he had no part whatever in it. It is due to truth that it should be known that to the Hon. L. W. HALL belongs the credit of securing the facts whereon the suit was gained—and this can be said without injustice to Attorney General BIDDLE, who did his whole duty in the case. Mr. HALL's energy, sagacity and perseverance so conspicuously underlie the case to its successful conclusion, that this attempt to credit Mr. MACKEY at his expense amounts to real injustice.

Wyoming Territory, the latest territorial creation, is the first political organization in the Union to give form and effect to the demand for female suffrage. The law gives women the right to vote has passed both branches of the territorial legislature, and been approved by the Governor. Congress has the power of disapproving all laws passed by the legislatures of the various territories, and sometimes exercises it, but hardly will in this instance. As the proportion of female to male population in Wyoming is about as one to twenty, the Territory now opens a splendid emigration field to the ladies of the Rights' Association.

EDUCATION meets the demand of Ireland for relief, and the election of ROSSA to Parliament from Tipperary, with genuine Jesse Pomeroy obstinacy and blindness. The people are to be mollified by sending five thousand troops immediately to Ireland, three millions of the quarters on the island to thirty thousand regular soldiers. In addition, certain of the Fenian obligations, there was no cause for the Government to pursue. It must fix the one thing or the other. It would doubtless have accorded with the sentiment of the American people, could our Government have thrown itself into the scale on the side of the Cubans, but such a course pursued by another nation towards us under precisely similar circumstances, would be regarded by us as factitious and dishonorable—and the American people, how ever strongly moved by their sympathies, will never consent to do that which they would not tolerate in another. This is the state of the gunboat question.

SIMEON LOWRIE, of Erie, having been interrogated as to his views on the new temperance movement, in relation to the question of granting license, has submitted the following correct from the *Fortnightly*, a gotame which the *Express* dispose of as follows:

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[illegible]

TEXAS appears to be a good prospect that Senator THURMAN in a bill to remove Congressmen from the impertinities of office seekers, will become a law. The Judiciary Committee of the Senate directed that the bill should be reported, and that it should be made even more stringent than Senator THURMAN suggested in the first place. As it now stands the measure prohibits Congressmen from making any recommendations for office, even when requested to do so by the heads of departments. The consequences of such a law will not only give us a better class of civil and office holders, but will elevate the character of the national Congress, in point of the integrity and ability of its members.

NEWS from Georgia indicates that the rebel element in that State is once more beginning to show its teeth. We have an amount of blustor and braggadocia that almost carries one back to the days of PARKER and HAYWARD. It will amount to very little, however. General GILLEM, unfashed, and prompted if necessary, by Congress, will be very apt to teach those haughty reactionists a lesson that will bring them to a complete realization of the fact that there is a power in the land before which even Georgia must bow in rebellious spirit. The news from the state will confirm Congress in its intention of remanding it back to military government, from which it will hardly escape in the future by a double-dealing policy such as that which characterized its first reconstructed Legislature. We do not know but that the turbulent spirit now exhibited in Georgia may prove a substantial benefit, for it will enable the Federal government to make it clear that the reconstruction laws, with the new order of affairs at the South, is a substantial and fixed reality, not to be evaded by those, or overthrown by a revival of the old bullying pro-slavery spirit.

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SIMEON LOWRIE

Weekly Commercial.

NEW SOUTHERN RAILROAD CONNECTION.

From Pittsburgh and the Lakes to the Atlantic and the Gulf. Meeting of Executives of the Companies and West Virginia Railroad Parliamentary Delegation here during the.

PITTSBURGH, Pa., December 18, 1869.

Pursuant to a call of the President, for consultation of the Executives and West Virginia Railroad men at the court house in Wheeling, on the 16th inst., the meeting convened, on that day, at 10 o'clock, A. M., President Andrew Stevenson, Jr., president of the Board, stated that this special meeting had been called for the purpose of securing resolutions for the co-operation of the several lines in the construction of the line. As call was issued, in behalf by the Legislature of Pennsylvania in the spring of 1868, to incorporate a company to build a road from Pittsburgh to Wheeling, to be known as the Pittsburgh, Wheeling & Kanawha Railroad Company, the amount of stock to be limited to $3,000,000, making 300 shares. This road would be about fifteen miles long, giving $200,000 per mile. This sum, it is thought, should be sufficient to build the road, and it is expected that the Geneva mines from here to Connellsville, over worse ground, and including the cost of a bridge over the Youghiogheny river, at Connellsville, will be completed for $15,000 per mile. However, to insure sufficient, the new railroad company to increase the amount of stock.

The Legislature of West Virginia has also granted a charter for a road from the Ohio river to Wheeling, and from the Pennsylvania line to Wheeling, to be known as the Pittsburgh, Wheeling & Kanawha Railroad Company, with directors to be appointed by the Governor of the State, to meet at Wheeling on the 16th inst., for the purpose of organizing. The following is the list of directors appointed:

Hon. A. Stevenson, Pittsburgh; Hon. Thomas M. Bayne, Pittsburgh; Hon. Thomas Swearingen, Wheeling; Hon. Jacob Yoke, Wheeling; Hon. Samuel Crothers, Wheeling; Hon. Alexander Campbell, Wheeling; Hon. Daniel Lamb, Wheeling; Hon. Joseph Thompson, Wheeling; Hon. Samuel Hubbard, Wheeling; Hon. Jacob Beeson, Wheeling; Hon. Jacob Hornbrook, Wheeling; Hon. Jacob Hornbrook, Wheeling; Hon. Jacob Hornbrook

Weekly Commercial.

SATURDAY, DECEMBER 18, 1869.

TERMS.

PITTSBURGH

COMMERCIAL.

DAILY AND WEEKLY.

1870.

As a thorough newspaper, giving neither alone but copious attention to the various and important interests represented in this community, and presenting specimens of nearly every kind of news and advocacy of measures, from the discussion of which it is not excluded, whether on the score of their importance or of the unpopularity of the principles involved, and as a medium for the free publication of communications from the people, on all subjects of public interest, whether political, social or personal, which are not libelous in their character, and as a champion of the rights and liberties of the people, the Daily and Weekly Commercial will be found worthy of new attention and support.

IT IS A DEMOCRATIC PAPER.

And keeps on in the march of improvement which has characterized it for many years. Having attained a circulation in excess of any other paper in the city, the management cannot be accused of truckling to the whims of the people in order to secure patronage. It has been and is the boast of the Commercial that it is the servant of the masses and not of the classes, and that its columns are free to the humblest citizen as to the most influential. The Democratic party has no more faithful friend and defender than the Commercial, and it proposes to remain in the future as in the past, the fearless champion of Democratic principles.

IT IS A NEWSPAPER AND NOT A RELIGIOUS PAPER.

Starting from the start some eleven years ago, after the overthrow of the Know-Nothing party, with the determination to make a newspaper, and not a religious paper, the Commercial has steered clear of the rocks on which so many publications have split, and has come to be recognized as a power in the land. It has no religious proclivities to subserve, and is not the organ of any religious denomination in general.

IT IS A PAPER OF INFLUENCE,

Is known and read more generally than any other paper in Pittsburgh, and is a favorite medium for advertising classes. It is always found reliable in its statements, and is sought after as an exponent of public sentiment. Merchants, Bankers, Manufacturers, Mechanics, Boards of Trade, Associations, Societies, Companies, Corporations, Banks and the Family Circle, all of whom are represented in its columns, find it to be necessary, and desire its influence and support.

IT HAS A FIRST CHOICE IN ITS NEWS AS-SOCIATIONS.

And it is to this that there is no necessity for belonging to any profession or combination of newspapers, in order to secure the news promptly. In many cases, owing to the standard it has attained, it is the first to receive as a preference, and omit nothing that will add to the integrity or increase its value.

IT IS THE GREAT TRADE

Pittsburgh is the centre of mighty interests, and it is a distinguishing peculiarity of the Commercial that it is not content to ask the news, but insists upon getting it. And it does not hesitate to ask the correspondents of other papers to furnish it, knowing that the institution which is receiving the greatest benefits from the Commercial is interesting its proprietors by increasing its circulation, and is willing to pay for the privilege. The Commercial has a larger number of correspondents in the Legislature, in the Departments at Washington, and in the principal cities of the United States than any other paper in Pittsburgh, and is the only paper in the city which has a regular correspondent at Harrisburg during the session of the Legislature. Its correspondence from Washington, Harrisburg, Philadelphia, New York, Boston, Cincinnati, Chicago, St. Louis, Louisville, Cleveland, Wheeling, Baltimore, Columbus, Erie, Meadville, Titusville, Oil City, Franklin, Butler, Allegheny City, Beaver, Washington, Greensburg, Uniontown, Brownsville, Connellsville, Johnstown, Ebensburg, Bedford, Somerset, Huntingdon, Altoona, Lewistown, Mifflin, Lewisburg, Williamsport, Bellefonte, Tyrone, Clearfield, Tionesta, Warren, Oil City, Franklin, Mercer, Butler, Kittanning, Indiana